

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID ALFRED ROWELL.

Plaintiff.

V.

CHERYL STRANGE,

Defendant.

NO: 4:19-CV-5095-TOR

ORDER OF DISMISSAL WITHOUT PREJUDICE

On April 29, 2019, Plaintiff filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 while incarcerated at the Benton County Jail. He is now incarcerated at the Washington Corrections Center at Shelton, Washington.

Plaintiff sought leave to proceed *in forma pauperis*, but his documentation was insufficient. He was advised of the deficiencies concerning his application and was sent a new application on April 29, 2019. ECF No. 4. On May 8, 2019, he submitted a completed declaration and application to proceed *in forma pauperis*, ECF No. 5.

1 Plaintiff, however, did not comply with 28 U.S.C. § 1915(a)(2), which
2 requires a prisoner seeking to bring a civil action without prepayment of the filing
3 fee to submit a certified copy of his trust fund account statement (or institutional
4 equivalent) for the **six months** immediately preceding the filing of the complaint.
5 Although directed to do so, ECF No. 4, Plaintiff did not supply a statement of his
6 inmate account for the six-month period preceding April 29, 2019.

7 On June 17, 2019, this Court ordered Plaintiff to submit a certified copy of his
8 six-month inmate trust account statement (or institutional equivalent) for the period
9 immediately preceding April 22, 2019, from the Benton County Jail, within **21 days**
10 of the date of this Order. In the alternative, Plaintiff was advised that he could pay
11 the full \$400.00 filing fee. Plaintiff was advised that his failure to do so would result
12 in the dismissal of this case. Plaintiff has neither paid the filing fee nor supplied the
13 six-month inmate trust account statement (or institutional equivalent) by the due
14 date, July 8, 2019.

15 Accordingly, **IT IS HEREBY ORDERED:**

16 1. This action is **DISMISSED** without prejudice for failure to comply with the
17 filing fee or in forma pauperis requirements of 28 U.S.C. §§ 1914 and 1915.

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2. The Court certifies any appeal of this dismissal would not be taken in good faith.

The Clerk of Court is directed to enter this Order, enter judgment, forward a copy to Plaintiff and **close** the file.

DATED July 16, 2019.



Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge